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unenforceable, such defect shall extend only in so far as to avoid such conflict or other objection, and shall not invalidate any other provision or any other and lawful application of the same provision of this ordinance.

**Hotels and Restaurants—Sanitary Regulation. (Ord. Aug. 17, 1914.)**

24. *Sanitation in hotels.*—Every person who owns, manages, or conducts any hotel or restaurant in the city of San Antonio, shall at all times keep and maintain the same, and each and every room, apartment, or place, and all fixtures, furniture, bedding, and other things used in connection with such business in a thoroughly clean and sanitary condition. And each such hotel and restaurant and persons engaged in conducting the same, in addition to these special provisions, shall be subject to all provisions of the code regulating the handling of foodstuffs.

25. *Cups and towels.*—No common or public drinking cup, and no roller towel, except a sanitary roller paper towel, shall be permitted to be placed or kept in any room or apartment used in common by the guests of any hotel or restaurant.

26. *Water coolers, etc.*—Every hotel and restaurant shall provide an abundant and convenient supply of pure water for kitchen and table use and for drinking purposes. All water coolers and drinking fountains and vessels shall be kept in a strictly clean and sanitary condition.

27. *Dishes, utensils, etc.*—All dishes, tableware, and kitchen utensils which have been used shall be thoroughly washed with water and soap, or by other approved process, and then rinsed with clean water before using same again.

28. *Screens.*—Every hotel shall have each of its bedrooms and each hotel or restaurant shall have each room used for kitchen, dining room, pantries, etc., screened as provided in rule or requirement 4 of section 1 of this ordinance.

29. *Contagious diseases in hotels and boarding houses.*—It shall be the duty of every person keeping, managing, or operating any hotel or boarding house in which any room or bed has been occupied by any person known to such hotel keeper, manager, or operator, or known to any employee of such hotel, to have any infectious, contagious, or communicable disease at the time of such occupancy, to disinfect thoroughly each such room and bed in the method prescribed by the State board of health before permitting such room or bed to be assigned to or to be occupied by any other person; and each hotel keeper, manager, or operator shall truly report each such matter to the city health officer immediately upon the same coming to his knowledge or to the knowledge of any person employed in such hotel; and all employees in any hotel shall promptly report all such matters to the manager of such hotel.

**Milk and Milk Products—Production, Care, and Sale. (Ord. Dec. 14, 1914.)**

SECTION 1. That the following are the definitions adopted for this ordinance, viz: *Definitions.*—The term "registered milk," as used in this ordinance, shall be understood as meaning raw, clean milk, taken from healthy cows, such healthiness to be determined by a veterinarian approved by the board of health of this city, and from dairies which score 80 or over on the official score card of the United States Department of Agriculture. And the milk shall be cooled immediately after taking from the cows to 50° F. or lower, and shall immediately be put in sterilized containers and sealed in such containers for delivery to the consumer. The milk shall contain not more than 100,000 bacteria per cubic centimeter, and shall be free from pathogenic bacteria. And all such milk shall be delivered to the consumer not later than 24 hours after the milking thereof. And the term "registered cream," as used in this ordinance, shall include the definitions of "registered milk," above given, and of "cream," given below.

The term "pasteurized milk," as used in this ordinance, shall be understood as meaning milk that has been heated above 145° F. and maintained at or above such

temperature for not less than 20 minutes and immediately cooled to 50° F. or lower, and maintained at or below 60° F. at all times prior to delivery thereof to a consumer or consumers. The term "pasteurized cream," as used in this ordinance, shall include both the definitions of "pasteurized milk," above given, and "cream," given below.

The term "cream," as used in this ordinance, shall be understood as meaning that portion of the milk, rich in fat, which rises to the surface of the milk on standing or is separated by centrifugal force, is fresh and clean, and contains not less than 18 per cent milk fat.

The term "milk" as used in this ordinance, shall be understood as meaning such milk as conforms to the following requirements, viz:

- (a) Shall contain not more than 88 per cent of water or fluids.
- (b) Shall contain not less than 12 per cent of milk solids.
- (c) Shall contain not less than 3.25 per cent of milk fats.
- (d) Shall have a specific gravity of not less than 1.02 per cent.
- (e) Shall not contain any dirt or other foreign matter or sediment.
- (f) Shall not contain any boracic or salicylic acid, formaldehyde, hydrogen-peroxide, or other foreign chemicals.
- (g) Shall not contain any pathogenic bacteria.
- (h) Shall not contain bacteria of any kind in excess of 500,000 per cubic centimeter.
- (i) Shall not have been drawn from any cow having a communicable disease or showing clinical symptoms of tuberculosis, nor have been drawn from a cow out of a herd of cattle having any diseased animal therein, or any animal therein which is afflicted with or has been exposed to any communicable disease.
- (j) Shall not have been drawn from any cow which has been fed on garbage, refuse, swill, moist distillery waste, or other unwholesome food.
- (k) Shall not have been drawn from any cow suffering with sore and inflamed udders or teats, or from a cow diseased.
- (l) Shall not have been drawn from any cow within 15 days before or 9 days after parturition of such cow.
- (m) Shall contain all the cream therein.
- (n) Shall not have been drawn, handled, kept or delivered under conditions contrary to any of the provisions of this ordinance relating thereto.

The term "skim milk" or "skimmed milk," as used in this ordinance, shall be understood as meaning such milk as conforms to every requirement of "milk" as defined above, excepting, however, therefrom the subdivisions (a) and (b) and (c) and (m); and shall be understood as meaning milk from which any portion of the milk fat has been extracted and which does not contain less than 9.25 per cent total milk solids.

The term "dairy" or "dairies," as used in this ordinance, shall be understood as meaning a place or places where two or more cows are kept for the production of milk or milk products, a portion or all of which milk or milk products is to be sold or exchanged for another commodity.

The term "filthy" applied to milk, as used in this ordinance, shall be understood as meaning such milk as is not securely protected against flies, dust, dirt, and, as far as is possible by all reasonable means, from all foreign or injurious contaminations.

SEC. 2. *Permit must be obtained.*—No person, association of persons, firm, or corporation shall engage in the sale of milk or cream of any kind or quality, or of any milk products, within the limits of the city of San Antonio unless and until he, they, or it shall have first obtained a written permit so to do, with a number, from the board of health of this city. Any permit so issued is nontransferable.

SEC. 3. *Fee for permit.*—A fee of 50 cents shall be paid to and collected by the secretary of the board of health of this city for each permit issued by it under the provisions of this ordinance.

**SEC. 4. *Life of permit, etc.***—Each such permit shall have a life of one year or fractional part thereof only, and shall be issued annually to cover the period beginning January 1 each year, and shall bear a distinctive number.

**SEC. 5. *Application in writing before issue of permit, etc.***—Each such permit, however, shall be issued only after written application is made therefor (the form of such application to be given by the board of health of this city upon a printed blank furnished by it), which written application shall state:

First. The name, residence, post-office address, location of place or places of business, and, if the applicant's employer or principal has headquarters at a place other than the said residence or post-office address, to then give the name of the employer or principal and the place of headquarters.

Second. The number of cows from which milk is obtained for sale and the kind of food which such cows are fed.

Third. The names and addresses of all persons, firms, or corporations from whom milk or cream of any kind or quality is obtained for the purpose of sale and the routes of transit of such milk or cream.

Fourth. The said application shall be signed by such applicant and shall be accompanied by the permit fee hereinbefore provided for.

**SEC. 6. *Inspection of business premises also required before issue of such permit.***—Before the issuance of any permit hereinbefore provided for there shall be made, by a duly authorized representative of the board of health of this city, an inspection of the business premises of the applicant, or principal or employer of the applicant, both as to the place of production and the place of distribution, to determine whether such premises are sufficiently clean and sanitary with regard to the stables, cows, wagons, store, and utensils thereof, and whether the food and water provided therein are pure and wholesome, and whether the cows and other animals therein are free from any contagious or infectious diseases, and whether all persons engaged in the care, handling, or delivery of the milk or cream obtained on or handled at any such premises are free from any contagious or infectious diseases, and whether such persons use due cleanliness in their said work; and said board of health must be satisfied, after such inspection, that the proper conditions exist to entitle the applicant to the permit hereinbefore mentioned.

**SEC. 7. *Certificate of tuberculin test also to accompany such application for permit.***—A certificate of tuberculin test from a veterinarian recognized by the Texas Livestock Sanitary Commission must accompany the application for the permit to sell milk or cream or any milk products within the city of San Antonio.

**SEC. 8. *List of recognized veterinarians to be posted in office of department of health of city.***—A list of the names of veterinarians recognized by the Texas Live Stock Sanitary Commission shall be posted by the board of health of this city in the office of the department of health of this city.

**SEC. 9. *Two convictions for violation of State law or this ordinance shall automatically forfeit permit.***—Any person, association of persons, firm, or corporation who shall be convicted twice for having sold, offered for sale, exposed for sale, had on hand for sale, or delivered any adulterated milk or cream or any milk products within the limits of the city of San Antonio, as such offense is defined and denounced under the present or any subsequent provisions of the laws of this State, or who shall be convicted twice for any violation of any provision of this or any subsequent ordinance of the city of San Antonio relating to the production, care, handling, delivery, and sale or exchange of any milk or cream or any milk products, shall thereby immediately and automatically forfeit his, their, or its permit issued under the provisions of this ordinance.

**SEC. 10. *Change of location of business must be reported.***—If any person, association of persons, firm, or corporation having the permit hereinbefore mentioned shall change his, their, or its place or places of business after the issuance thereof, a written notice

of such change or changes shall be forthwith delivered to the board of health of this city, and, before such person, association of persons, firm, or corporation shall be allowed to carry on their said business further the premises at such new location or locations shall be first inspected by a duly authorized representative of the board of health of this city, and the written permission of the said board of health (it being satisfied that the conditions exist at the new location or locations which are required by this ordinance) shall be obtained therefor.

SEC. 11. *Scores required of dairies; pasteurized milk or cream excepted.*—No milk or cream or any milk products shall be sold, offered or exposed for sale, or had on hand for sale, or delivered within the city of San Antonio, except such milk or cream or milk products has come from a dairy which has obtained a score of not less than 50 points, according to the score card of the Dairy Division of the Department of Agriculture of the United States, such score to be decided by, notified to, and recorded as hereinafter provided: *Provided, however*, That the aforesaid score of not less than 50 points shall be permitted for a period of three months only after this ordinance has become effective, after which time the score required shall be not less than 60 points: *Provided, however*, That milk or cream obtained from any dairy not so inspected and scored, and which is shipped into this city by railroad, freight or express, may be sold, exposed, or offered for sale or delivered within the city of San Antonio if the same has first been pasteurized in the manner provided in this ordinance.

SEC. 12. *Representative of board of health to inspect and give scores.*—The score or scores hereinbefore required to be made by dairies shall be obtained through a duly authorized representative of the board of health of this city, and no other person, after a thorough inspection and examination by him made and conducted.

SEC. 13. *Examinations for scores to be made when deemed advisable by board of health.*—Examinations of dairies for the purpose of giving scores shall be made as often and conducted in such manner as the board of health of this city shall determine.

SEC. 14. *Scores to be recorded and book of such scores deemed public record of which notice is required to be taken.*—After such examination the report of such score shall be made in writing to the board of health of this city, which report shall be signed by the representative thereof so making, and shall be recorded in a well-bound book to be kept for that purpose by the secretary of the board of health of this city. And such record shall be deemed a public record, open to the inspection of all persons on demand within office hours. And all persons, associations of persons, firms, or corporations engaged in the business of selling or delivering milk or cream or any milk products within the city of San Antonio, either to the consumer or to middlemen, shall take notice of all scores made and recorded in such book of record.

SEC. 15. *Dairy stables—Conditions required and cows therein.*—Dairy stables shall be so constructed as that there is allowed ample air and light for the cows therein, and shall be painted in some light color or whitewashed once each year. The stables shall be kept free from dust, dirt, cobwebs, and foul odors, and the ceilings thereof shall be dust-tight. If horses are kept in the same stable buildings, they shall be separated from the cows by a tight and substantial partition. No other animals or any fowls shall be allowed in dairy stables. The floors of all dairy stables shall be so constructed that they can be kept sanitary and clean. The urine and manure thereon shall be removed twice daily, and be taken at least 50 feet from such dairy stables and placed where the cows can not get at it. Manure shall not be thrown out of the dairy stable windows. The manure and waste from cows shall be placed in substantial receptacles and removed from the premises of the dairy stables at regular and short intervals of time. Food and water for cows in such dairy stables shall be ample and wholesome. No such cows shall be fed swill, garbage, or other unwholesome substances. If malt is used for such cows, the same shall not be fed when sour. The surroundings of such dairy stables shall be kept in a sanitary condition. Cows in dairies shall not be allowed

to stand in manure or filth. Such cows shall be kept clean, and no manure, litter, or other noxious substances shall be allowed to become caked or dried on them.

SEC. 16. *Dairy stables—Milkers, their utensils, etc.*—All milkers in dairies shall thoroughly wash with clean water and wipe their hands, and shall wash with clean water and wipe the cow's udders before they begin to milk, and their outer garments shall be clean. They shall not use the pails, cans, or other necessary dairy utensils which come in contact with the milk unless the same shall have been thoroughly washed in clean, hot water and soap or hot water and soda, and shall afterwards be sterilized with boiling water or steam. Care shall be taken that the seams and faucets of such vessels are thoroughly cleansed with a brush. Milkers shall refrain from milking or handling milk in any way when in themselves or their families there is even a suspicion of any contagious or infectious disease, such as smallpox, scarlet fever, diphtheria, typhoid fever, tuberculosis, or the like. All employees in such dairies shall be subject to physical examination at any time by a duly authorized representative of the board of health of this city.

SEC. 17. *Tuberculin test required of certain cattle.*—All cows, fresh or dry, and all cattle over one year of age, in dairies from which milk or cream or any milk products are furnished to the persons residing in the city of San Antonio for consumption, shall be tuberculin tested and inspected for all contagious and infectious diseases at the city's expense.

SEC. 18. *How tuberculin test shall be made, etc.*—All dairy cattle hereinbefore named shall be tuberculin tested once each year, and in case any reactors are found, such cow or cows shall be retested within six months thereafter. All cows reacting to the tuberculin test shall be indelibly marked with the branded letters "TB" on the left shoulders thereof by the duly authorized representative of the board of health of this city, and shall be separated by the owner or person in charge thereof, from the other cow or cows, if any, and shall be kept permanently apart from them, and no milk shall be taken from such reacting cow or cows to be used for the purpose of sale or manufacture of milk products.

SEC. 19. *Cows tuberculin tested shall be marked by method adopted by board of health.*—All cattle which shall be tested as hereinbefore provided shall be marked by some method adopted by the board of health of this city.

SEC. 20. *Representatives of board; their powers of inspection, etc.*—All persons who are duly authorized representatives of the board of health of this city are hereby empowered to examine all dairy herds or cows, utensils for handling milk or cream, and to open any can, vessel, or package containing milk or cream, or any milk products, whether sealed, locked, or otherwise, and take samples of the milk or cream or any milk products for testing or analysis; and if, upon inspection or analysis, the milk or cream is found to be filthy or the can or other container is in an unclean condition, the said representative may then and there condemn the same and pour out such milk or cream, whatever its kind or quality, upon the ground; or if, upon such inspection or analysis, any milk products are found to be insanitary or filthy, the same may then and there be destroyed by such representative; and he shall, if this be done in good faith, be held harmless in damages therefor in any suit or demand, as likewise shall be the city or any of its officers or employees and the members of said board of health.

SEC. 21. *Care of milk after milking.*—Immediately after milking the milk shall be removed from the stable into a milk room securely screened from all flies and other harmful insects, and aerated and cooled to at least 60° F., and shall be put into perfectly clean containers. Such milk room shall at all times be kept in a clean and sanitary condition.

SEC. 22. *Raw milk or cream; when considered insanitary.*—Raw milk, or cream showing an abnormal fermentation, shall be considered insanitary and unfit for consumption as human food, even when pasteurized.

SEC. 23. *What pasteurized milk or cream shall or shall not contain.*—Pasteurized milk or cream shall contain not more than 50,000 bacteria per cubic centimeter nor more than 1 per cent of the number of bacteria contained in the product before pasteurization, and shall not contain any pathogenic bacteria.

SEC. 24. *Pasteurized milk or cream to be sold only in bottles, etc.*—Pasteurized milk or cream shall be sold only in bottles which have been sterilized in live steam or boiled.

SEC. 25. *Temperature required for milk or cream from time of production to delivery.*—All milk or cream, of whatever kind or quality, which is sold or delivered shall, from the time of leaving the dairy to the time of the sale and delivery to the consumer, be kept at a temperature of not more than 70° F.

SEC. 26. *Milk container to be used only for that purpose.*—No milk container shall be used for any other purpose than the reception of milk.

SEC. 27. *Cap to bottles to bear name, permit number, and quality or kind of milk or cream.*—The cap of all bottle milk or bottle cream shall bear the name and permit number of the producer or seller thereof, and shall also bear the kind or quality of the milk or cream therein contained.

SEC. 28. *No water shall be carried on milk wagons.*—No water for any purpose whatever shall be carried on milk wagons operating within the city of San Antonio in the delivery or sale of any of the different kinds or qualities of milk or cream provided for in this ordinance.

SEC. 29. *Pasteurized milk or cream—When to be delivered.*—Pasteurized milk or cream shall be delivered to the consumer not more than 30 hours after the completion of the process of pasteurization thereof.

SEC. 30. *Where milk or cream shall be bottled and capped.*—All milk or cream of any kind or quality, put up in bottles, shall be bottled and capped at the dairy building regularly used for that purpose and nowhere else.

SEC. 31. *Disease in families of dairymen or employees to be reported, etc.*—Should scarlet fever, smallpox, diphtheria, typhoid fever, or other contagious or infectious disease occur in the family of any dairyman, or among any of his employees or their families, or in any house or building in which milk or cream of any kind or quality is kept for sale, such dairyman, or his employees, or other person so concerned, shall immediately notify the health department of this city at its office of such fact, and a representative of the board of health of this city shall thereupon immediately investigate and order the sale and delivery of such milk or cream stopped, or order the same sold under such regulations as the board of health of this city shall deem best.

SEC. 32. *Failure to so notify shall authorize destruction of milk, etc.*—Should any dairyman, vender or shipper of any milk or cream, of whatever kind or quality, fail to notify the board of health of this city, as hereinabove provided, of any contagious or infectious disease suffered by themselves or any members of their families or member of their households, or by any of their employees or any member of any of the families of their employees, or who, after such information is given, shall fail to comply with the directions of said board of health, any duly authorized representative of said board of health is hereby authorized to seize and to destroy all such milk or cream coming from any such dairyman, vender or shipper, wherever the same may be found within the city of San Antonio, and such representative of the said board of health, the members of said board of health, the city of San Antonio, and any and all of its officers and employees or servants, when acting in such matters in good faith, are hereby released and held harmless from all damages that may result from such action.

SEC. 33. *Delivery wagons to be so constructed as to protect milk and cream.*—All vehicles used for the delivery of milk or cream or any milk products shall be covered with some substantial material so that the milk or cream or any milk products handled therein shall be thoroughly protected against sun and rain.

**SEC. 34. *Delivery wagons to be used for no other purpose.***—Milk-delivery vehicles shall not be used for any purpose which will render them unsuitable for the proper or sanitary delivery of any milk or cream or any milk products.

**SEC. 35. *Milk-delivery vehicles to be kept clean and sanitary.***—Milk-delivery vehicles shall be kept in a cleanly condition at all times, and shall be kept free from any substance liable to contaminate the milk or cream placed therein.

**SEC. 36. *Delivery vehicles required to have painted thereon name, location of dairy, and number of permit.***—No person, association of persons, firm, or corporation shall use any vehicle for the delivery of milk or cream or any milk products within the city of San Antonio which has not painted thereon, on both sides of the body thereof, in legible letters at least 3 inches in height and placed in such a position on such vehicle as to be plainly visible to ordinary sight, the name and location of his, their, or its dairy, and the number of his, their, or its permit.

**SEC. 37. *No milk bottle shall be opened and recapped after once filled and capped.***—No bottle containing any kind or quality of milk or cream shall be opened or emptied wholly or partially, or recapped, after once having been filled and capped, except it be the consumer thereof.

**SEC. 38. *Premises not to be entered in delivery of milk or cream where there is any infectious or contagious disease.***—In delivering any kind or quality of milk or cream to any house, room, or building in which any person therein is suffering from any contagious or infectious disease, the party so delivering shall not knowingly enter the premises whereon such house, room, or building is situated, neither shall he permit his bottles of milk or cream or milk or cream in other vessels to be taken into such premises, but he shall pour such milk or cream into vessels furnished by the person residing in or at such premises and not otherwise.

**SEC. 39. *Milk or cream to be delivered only in bottles; excepting only when same is consumed at place where sold, and in case of bona fide wholesale dealers in milk, etc.***—No person, association of persons, firm, or corporation, shall sell, deliver, offer for sale, expose for sale, or keep on hand for sale or delivery any milk or cream of any kind or quality whatever, except it be contained in bottles which are sanitary and tightly closed and capped, or be contained in receptacles of a similar character which have first been approved by the board of health of this city: *Provided, however,* When any such milk or cream is sold or delivered on the premises of the sale or delivery for the immediate consumption thereof thereon, the same need not be sold or delivered in bottles as aforesaid: *And provided further,* That this requirement shall not apply to bona fide dealers in milk or cream, of whatever quality or kind, at wholesale, who sell in a single sale and delivery a quantity of not less than 1 gallon of milk or 2 quarts of cream, and which dealers then and there have a substantial refrigerator, lined with metal or porcelain, in a tight and sanitary condition and with suitable ventilation thereto, from which such sale and delivery of such milk or cream is made; and that such wholesale dealer shall then and there have in a room separate and apart from the room in which such refrigerator is located suitable and adequate cleansing vats, steam pipes, and jets or hot-water containers for the sterilization of all milk utensils, and substantial and adequate drain racks, and substantial and adequate tables for the draining of large quantities of milk utensils, respectively; and that such wholesale dealers shall then and there have, and shall at all times keep, the refrigerator room or distributing room or salesroom and the wash room used in connection with the business thereof, in a clean and sanitary condition with regard to the ceilings, walls, and floors thereof, and that the windows or doors or other openings in such rooms shall be securely screened against all flies or other harmful insects from without, and that the same on the inside shall be at all times kept free from all flies or other harmful insects; and that such wholesale dealers shall use utensils in the handling of such milk or cream which shall at all times be kept clean, free from rust and



rough surfaces, and shall be sterilized on the inner and outer surfaces, before using, by exposure to a temperature of not less than 212° F.; and that such wholesale dealers shall not store or place any substance or article other than milk or cream (excepting, however, only butter), in the refrigerator hereinbefore mentioned, and that such refrigerator shall be constantly kept at a temperature of 50° F. or less.

SEC. 40. *Places of business where milk or cream is sold, to be furnished, how.*—No milk or cream, of whatever kind or quality, shall be sold, offered for sale, exposed for sale, kept on hand for sale, or delivered at any store or other place of business, unless such places are furnished with a substantial tight and sanitary refrigerator, in which such milk or cream shall be kept and maintained at a temperature of 50° F. or lower. And such refrigerator shall not contain articles of food or substances other than such milk or cream, excepting, however, only butter. And such refrigerator shall be well lined on the inside with porcelain or metal.

SEC. 41. *Grocers, etc., selling milk and cream required to label containers and to post names and addresses of milk producers.*—All grocers, bakeries, restaurants, or other places selling milk or cream or pasteurized milk or skimmed milk over their counters, shall keep the names and addresses of the sellers to themselves of such milk or cream or pasteurized milk or skimmed milk posted and plainly visible to the ordinary eye and in a conspicuous place in such business premises, and shall also post opposite the said names and addresses the kind or quality of said milk or cream furnished by such sellers, so that the same may be plainly discerned by the patronizing public.

SEC. 42. *Pasteurized milk or cream sold must be produced in manner and under conditions provided for in this ordinance.*—No person, association of persons, firm or corporation, or any person for him, them or it, shall sell, offer for sale, expose for sale, or have on hand for sale, or deliver any pasteurized milk or cream, or what purports to be pasteurized milk or cream, unless the same shall have been produced, transported, stored, and pasteurized in accordance with the provisions of this ordinance relating thereto.

SEC. 43. *Applications to be made by those desiring to pasteurize milk or cream.*—Any person, association of persons, firm, or corporation desiring to pasteurize milk or cream for sale within the city of San Antonio shall first make application in writing to the board of health of this city for and obtain from it a permit so to do, which permit shall be granted by said board upon the compliance of such applicant with all the requirements of this ordinance which can be complied with antecedent to the actual pasteurization and sale of such milk or cream.

SEC. 44. *Penalty.*—Any person, association of persons, firm, or corporation selling, delivering, or offering for sale, or exposing for sale, or having on hand with the intention of selling, any milk or cream, according to the various definitions given in this ordinance, which fails or refuses to comply with any provisions of this ordinance or violates any provision of the same, shall, upon conviction, for such offense be fined in any sum of money not less than \$25 nor more than \$200; and each day's violation of any of the provisions of this ordinance shall constitute a separate and distinct offense.

SEC. 45. *If one provision void, this not to invalidate other provisions.*—If any provision of this ordinance, or any portion or clause thereof, shall be determined by a competent court to be void because unreasonable or in conflict with the State laws, or for any other reason the same shall be declared to be unenforceable, such holding or declaration of the court shall not invalidate or affect any other provision or clause of this ordinance.